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**Federal Communications Commission**

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**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Charter Communications	)	File No. EB-04-OR-015
Operator of Cable Television System	)	
Bogalusa, Louisiana	)	NOV No. V20043262015

**NOTICE OF VIOLATION**

**Released: February 2, 2004**

By the District Director, New Orleans Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,<sup>1</sup> to Charter Communications operator of a cable television system in Bogalusa, Louisiana.

2. On January 27, 2004, agents of the Commission's New Orleans Office inspected the cable television system in Bogalusa, Louisiana, and observed the following violation(s):

- a. 47 C.F.R. § 76.605(a)(12): As an exception to the general provision requiring measurements to be made at subscriber terminals, and without regard to the type of signals carriers by the cable television system, signal leakage from a cable television system shall be measured in accordance with the procedures outlined in §76.609(h) and shall be limited as follows: Over 54 MHz, and less than and including 216 MHz - 20 micro-volts per meter measured at 3 meters.

At the time of inspection signal leakage was observed on the frequency of 133.2625 MHz as follows:

141 $\mu$ V/m	Alleyway behind 509 Caswell Street
282 $\mu$ V/m	1208 Davis Street
229 $\mu$ V/m	Corner East 4th Second Avenue
229 $\mu$ V/m	Corner of Austin and Ontario Streets, pole near Dominos Pizza

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<sup>1</sup> 47 C.F.R. § 1.89.

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- b. 47 C.F.R. § 76.1700(b): The public inspection file shall be maintained at the office which the systems maintains for the ordinary collection of subscriber charges, resolution of subscriber complaints, and other business or at any other accessible place in the community served by the system unit. The public inspection file shall be available for public inspection at any time during regular business hours.

At the time of inspection, the public inspection file was not available for inspection in the Charter Communications office located in Bogalusa, Louisiana.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,<sup>2</sup> and Section 1.89 of the Commission's Rules, Charter Communications must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission  
New Orleans Office  
Room 460  
2424 Edenborn Avenue  
Metairie, Louisiana 70001

4. This Notice shall be sent to Charter Communications, 60097 Highway 11, Slidell, Louisiana, 70458.

5. The Privacy Act of 1974<sup>3</sup> requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.<sup>4</sup>

FEDERAL COMMUNICATIONS COMMISSION

James C. Hawkins

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<sup>2</sup> 47 U.S.C. § 308(b).

<sup>3</sup> P.L. 93-579, 5 U.S.C. § 552a(e)(3).

<sup>4</sup> 18 U.S.C. § 1001 *et seq.*

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District Director  
New Orleans Office